

**INSTRUCTIONS FOR PETITIONERS FOR REINSTATEMENT
FROM INACTIVE STATUS OR ADMINISTRATIVE SUSPENSION
LONG FORM**

Revised September 2010

Conditions for Reinstatement

Pursuant to 27 N.C.A.C. Chapter 1D, Rules .0902 and .0904 of the North Carolina State Bar Rules, petitions for reinstatement from inactive status or administrative suspension (for failure to fulfill membership or CLE requirements) must be accompanied by a prescribed petition and the petitioner must:

- Pay the reinstatement fee and all fees owed to the Board of Continuing Legal Education and the North Carolina State Bar
- Submit letters of reference
- Complete any deferred CLE if inactive or any CLE hourly deficit at the time of suspension, and
- If the license was inactive or suspended for 2 or more years, complete 15 hours of CLE, including 3 hours of ethics.

Procedure

The petition must be reviewed by the Administrative Committee and approved by the North Carolina State Bar Council. The committee and the council meet quarterly in January, April, July, and October. The dates of the meetings are posted on the home page of the State Bar website.

Instructions

1. Print or type the petition. Complete, date, and sign the petition before a notary to acknowledge that you have read and understand the questions or statements on the petition.
2. Pay the appropriate reinstatement fee (**\$125.00 if inactive, \$125.00 if suspended for failure to pay membership fees, or \$250.00 if suspended for failure to comply with CLE requirements**) and any fees owed to the Board of CLE and the NC State Bar. Contact the Membership Department at (919) 828-4620 to obtain this information.
3. Complete any deferred CLE if inactive or any CLE hourly deficit owed at the time of suspension. If two or more years have elapsed between the date of your inactive status or suspension and the date the reinstatement petition is filed, you must complete an additional 15 hours of continuing legal education. Of the 15 CLE hours, at least 3 hours must be in the areas of professional responsibility and/or professionalism. You will only be given credit for courses taken within one (1) year of filing the petition. Contact the CLE department at (919) 733-0123 for questions regarding your CLE requirements.
4. Attach three (3) letters of reference from North Carolina lawyers who are in good standing with the State Bar or from people with whom you have a professional business relationship as an employee, customer or service provider. It is preferable (but not required) for at least two (2) of the three letters to be from North Carolina lawyers.
5. Submit the petition at least 30 days prior to the quarterly meeting of the State Bar Council at which you are requesting the Council to take action on the petition.
6. Mail the petition and any supporting documentation to:
NC State Bar
Attn: Membership Dept.
P.O. Box 26088
Raleigh, NC 27611
7. Please contact the Membership Department at (919) 828-4620 if you have any questions or need further assistance regarding your membership status or you do not receive notice that your petition was received.



THE NORTH CAROLINA STATE BAR

REINSTATEMENT PETITION

(Long Form)

For Lawyers Who Have Been Inactive or Suspended For More Than 12 Months

Revised September 2010

All responses are to be based on your knowledge, unless your response is expressly qualified to show another source of your information. Answer all questions and make your answers as specific as possible. If the space for any answer is insufficient, complete your answer on a separate sheet and attach it to the petition. **Review the instruction page (attached to this petition) prior to submitting your petition to ascertain that you have met all requirements for reinstatement. PLEASE TYPE OR PRINT YOUR ANSWERS LEGIBLY.**

Petitioner's Questionnaire and Affidavit

1. State:

(a) Full name _____

(b) Current mailing address:

Street _____

City _____ State _____ Zip _____

(c) Telephone number: Work _____ Home _____

(d) Fax number _____

(e) E-Mail Address _____

(f) Have you ever been known by any other name or surname (include any name prior to marriage)?
_____ If so, list all other names and the dates and locations where such names were used.

(g) Date of birth _____ Birthplace _____ Age _____

FOR OFFICE USE ONLY

ID# _____

Date inactive/suspended _____

License Date _____

Needs to complete CLE hours (y/n) _____

Dues paid (y/n) _____

(_____ general and/or _____ ethics hours)

Reinstatement fee paid (y/n) _____

Other Matters Pending (y/n) _____

2. List all employment during the time that you were inactive or suspended, in reverse chronological order, beginning with your current employment (attach additional sheet if necessary). Include self-employment, temporary or part time work, employment by relatives, and employment with and without compensation. As to each employment state the following:

Employer _____
Supervisor _____
Address _____
City _____ State _____ Zip _____
From (M/Y) _____ To (M/Y) _____
Position(s) held _____
Reason for termination _____

Employer _____
Supervisor _____
Address _____
City _____ State _____ Zip _____
From (M/Y) _____ To (M/Y) _____
Position(s) held _____
Reason for termination _____

Employer _____
Supervisor _____
Address _____
City _____ State _____ Zip _____
From (M/Y) _____ To (M/Y) _____
Position(s) held _____
Reason for termination _____

3. Since your admission to the North Carolina State Bar or during the seven years preceding this petition, whichever period of time is less, have you been disbarred, suspended from practice, or otherwise disciplined or disqualified (including the revocation of a pro hac vice admission, or a disability or administrative suspension) by a licensing agency or court for conduct as a lawyer or a member of any profession or organization, or holder of any public office,? _____

If your answer is YES, provide the following information:

- (a) Nature of discipline, suspension, or disqualification;
- (b) Date of discipline, suspension, or disqualification;
- (c) Name/address of person or body with possession of the record;
- (d) Reason(s) for the discipline, suspension, or disqualification.

Attach copies of all documents relating to such discipline, suspension, or disqualification including the order of discipline or disqualification.

4. Since your admission to the North Carolina State Bar or during the seven years preceding this petition, whichever period of time is less, have any grievances, complaints or charges been filed or proceedings instituted against you in any bar, court, or licensing agency? _____

If your answer is YES, provide the following information (do not repeat the information provided in response to Question 3.):

- (a) Nature of grievance, complaint or charge;
- (b) Name/address of person or entity making the grievance, complaint or charge;
- (c) Date of grievance, complaint or charge;
- (d) Disposition of grievance, complaint or charge;
- (e) Name/address of person or entity with possession of the record relating to the grievance, complaint or charge.

Attach copies of all documents relating to the grievance, complaint or charge.

5. Since your admission to the North Carolina State Bar or during the seven years preceding this petition, whichever period of time is less, have you been charged with, arrested or convicted of a violation of any law (excluding infractions in which an appearance in court may be waived by paying a fine)? _____

If your answer is YES, provide the following information:

- (a) Name and location of the tribunal;
- (b) Date, case number, and caption of the pleadings;
- (c) The nature of the proceeding;
- (d) Disposition;
- (e) Location of the record relating to the proceeding.

6. Since your admission to the North Carolina State Bar or during the seven years preceding this petition, whichever period of time is less, have you been charged with fraud in any legal proceeding, civil or criminal (include charges for fraudulent conveyance, preference or unlawful concealment of assets)? _____

If your answer is YES, provide the following information:

- (a) Name and location of the tribunal;
- (b) Date, case number, and caption of the pleadings;
- (c) The nature of the proceeding;
- (d) Disposition;
- (e) Location of the record relating to the proceeding.

7. Since your admission to the North Carolina State Bar or during the seven years preceding this petition, whichever period of time is less, have you timely filed state and federal tax returns and paid all taxes when due for each and every year or, if you have not, obtained prior authorization from the taxing authority to file or pay late? _____

If your answer is NO, provide the year, taxing authority, and the current status of the delinquency for each year in which, without prior authorization from the taxing authority, you did not timely file a tax return and/or did not pay all taxes when due.

8. Since your admission to the North Carolina State Bar or during the seven years preceding this petition, whichever period of time is less, were you (1) declared legally incompetent; (2) impaired¹ as a result of a mental, emotional or psychiatric disorder or condition; (3) impaired as a result of the use of alcohol or drugs; or (4) told that you were, or are, impaired as a result of a mental, emotional or psychiatric disorder or condition or the use of alcohol or drugs? _____

If your answer is YES, provide the following information:

- (a) For an incompetency proceeding: provide the name and location of the tribunal; dates, case number and caption of the proceeding; disposition; and the location of the record relating to the proceeding.
 - (b) Identify all involuntary admissions to a treatment facility; provide the name and address of the facility, the dates of admission and the reason for each admission.
 - (c) Dates of impairment or notice of impairment,
 - (d) Names and mailing addresses of the person(s) who told you that you were impaired.
 - (e) If you were treated by any professional or institution, or have been in a program of recovery for alcohol or drug use, provide the name and mailing address of each professional, institution or program.
 - (f) Direct each treatment facility or treating professional to furnish to the State Bar any information that the State Bar may request with respect to any such impairment and treatment.
9. During the time you were inactive or suspended, did you engaged in the practice of law in North Carolina? _____

If your answer is YES, provide a statement explaining when and where you practiced law and why you did so.

10. State the reason you desire readmission to the North Carolina State Bar and provide an explanation of your anticipated employment.
11. Is there any reason why your resumption of the practice of law may be detrimental to the integrity and standing of the Bar, or subversive of the administration of justice or the public interest? _____

If your answer is YES, provide an explanation including a description of any relevant conduct.

To complete the petition, attach three letters of reference or ask three references to submit letters supporting your reinstatement to the State Bar. By executing this petition, you acknowledge that you have answered each question truthfully and completely.

Signature

Date

Sworn to and subscribed before me this
_____ day of _____, _____.

Notary Public

My commission expires: _____

¹ For purposes of this and all other questions, the term "impaired" or "impairment" means limited in your ability to carry on any life activities to an extent that would have adversely affected your ability to practice law. The ability to practice law requires, among other attributes, an accurate perception of reality, honesty, and the capacity to comprehend facts and circumstances, to reason logically, to communicate, to recognize and appropriately resolve ethical dilemmas, and to perform legal tasks in a timely manner.

Authorization and Consent to Release Information

Name: _____

I hereby consent to the disclosure of any information relating to any grievance file against me with the Grievance Committee of the North Carolina State Bar and authorize the release of any information relating thereto to the Administrative Committee of the North Carolina State Bar for the purpose of evaluating this petition for reinstatement.

I understand that I may revoke this consent to release information in writing at any time, except to the extent that action has been taken in reliance thereon. I agree that the Administrative Committee of the North Carolina State Bar will be notified upon any revocation of this release.

Signature

Date